

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

PAUL BUSBY,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

No. 4:09-CV-1742 CAS

**ORDER**

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge Thomas C. Mummert, III, filed November 9, 2010. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the decision of the Commissioner denying plaintiff's application for supplemental security income benefits under Title XVI of the Social Security Act and application for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401, et seq., be affirmed. Neither party has filed an objection to the recommendation.

After careful review of the matter, the Court concurs with the recommendation of the Magistrate Judge for the reasons set forth in the well-reasoned Report and Recommendation.

Accordingly,

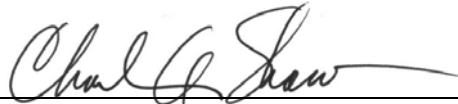
**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 20]

**IT IS FURTHER ORDERED** that the decision of the Commissioner denying plaintiff's application for supplemental security income benefits under Title XVI of the Social Security Act

and application for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C.

§§ 401, et seq., be affirmed is **AFFIRMED**.

An appropriate judgment will accompany this order.

  
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**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 20th day of January, 2011.